UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA

                                        MEMORANDUM AND ORDER
          -against-   02-CR-1022-02 (DRH)

JOHN WILLIAM CARR,

              Defendant.
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A P P E A R A N C E S:

For the Government:
    Roslynn R. Mauskopf
    United States Attorney
    610 Federal Plaza
    Central Islip, New York 11722-4454
      By: Bonnie Klapper, A.U.S.A.

For Defendant:
    John W. Carr, Pro Se
    11838 Pasco Terr. Ct.
    Port Richie, Florida 34668

HURLEY, Senior District Judge

          Pending before the Court is an application by defendant

John William Carr ("defendant" or "Carr") for an order pursuant

to 18 U.S.C. § 3583(e)(1) for early termination of his term for

supervised release. The application is opposed by both the

Probation Department and the United States Attorney. Defendant

was sentenced by me on September 24, 2004, after a plea of guilty

to Conspiracy to Transport Stolen Goods in Interstate Commerce,

in violation of 18 U.S.C. § 371. He was sentenced to time

served, to be followed by a three year term of supervised

release.

                          DISCUSSION

  Section 3583(e) provides in pertinent part:

          The court may, after considering the factors
          set forth in section 3553(a)(1), (a)(2)(B),

(a)(2)©, (a)(2)(D), (a)(4), (a)(5), (a)(6),
and (a)(7)—

    (1) terminate a term of supervised release
and discharge the defendant released at any
time after the expiration of one year of
supervised release, pursuant to the
provisions of the Federal Rules of Criminal
Procedure relating to the modification of
probation, if it is satisfied that such
action is warranted by the conduct of the
defendant released and the interest of
justice.

(18 U.S.C. § 3583(e)(1).)

The Court has reviewed the portions of § 3553(a)
referenced in § 3583(e) in conjunction with the application
submitted by the defendant. See generally United States v.
Lussier, 104 F.3d 32, 34-35 (2d Cir. 1997). Having done so, I
decline to grant the relief requested. Accordingly, it is
denied.

    SO ORDERED.

Date: December 13 , 2006
    Central Islip, New York

                _____/S/_____
                DENIS R. HURLEY, U.S.D.J.